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ABSTRACT

Professional personnel policies for the state colleges in Colorado are outlined in this June 15, 1974 handbook. Specific regulations are presented with regard to: conditions of employment determined by law; endorsement of academic freedom; professional conduct; duties and responsibilities of the president; faculty rank; tenure; salary and workload; employment contracts; suspension; dismissal and termination; grievances other than dismissal for cause and nonrenewal of personnel in the probationary period; professional travel; leaves of absence; and benefits. (LBH)

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TRUSTEES OF THE STATE COLLEGES IN COLORADO

HANDBOOK FOR PROFESSIONAL PERSONNEL

U.S. DEPARTMENT OF HEALTH
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

HE 007 282

ADOPTED JUNE 15, 1974

EXECUTION OF PROFESSIONAL PERSONNEL POLICIES

The policies and procedures set forth herein shall on June 15, 1974, supersede any existing policies and regulations with the provision that nothing herein shall be construed as terminating or affecting previously acquired tenure or rank.

Amendment proposals may be submitted to the Trustees through channels: faculty proposals shall be channeled through the Committee of State College Faculty Representatives; proposals from administrative personnel shall be submitted through the Council of Presidents.

Amendments shall require two readings at regular meetings of the Trustees of the State Colleges in Colorado with provision for an open hearing at or before the second reading.

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G L O S S A R Y

Academic Due Process

Academic due process refers to procedural systems which have evolved in institutions of higher education for the purpose of assuring fair judgments in personnel matters.

In order to assure academic due process in the State Colleges in Colorado, the Trustees prescribe the procedures to be followed in cases of suspension and dismissal for cause. See Sections X and XI.

Categories of Personnel

Professional Personnel, Persons:

The inclusive term for all the persons subject to the provisions of this Handbook, i.e., faculty and administration as defined below (including full-time personnel under grants and/or awards, subject to the specific conditions hereinafter provided).

Faculty, Faculty Members:

Personnel who are employed to provide instruction and librarians and counselors at those institutions where librarians and counselors are employed on academic-year contracts. Chairmen of departments or divisions of instruction are included under faculty even though they may be accorded released time from instruction to carry out administrative responsibilities.

G L O S S A R Y - Continued

Administration, Administrative Personnel:

Personnel who are employed on fiscal-year contracts for responsibilities other than instruction. At institutions where librarians and/or counselors are employed on fiscal-year contracts, they shall be classified as administrative personnel.

Administrative Officers:

Administrative personnel to whom other personnel report.

Classified Personnel, Persons:

An established term which applies exclusively to Civil Service personnel, who are not subject to the provisions of this Handbook unless employed by separate appointment for academic functions. The term is included here only to emphasize their exemption.

Cause (as related to dismissal)

"Cause" as it relates to dismissal from employment denotes the following: moral turpitude, incompetence, failure to perform the duties required by contract, conviction of a felony, or other like reason.

Dismissal, Termination, Non-renewal:

"Dismissal" is the ending of employment for cause.

"Termination" is the ending of employment due to the elimination of a faculty position as the result of financial exigency or program change.

G L O S S A R Y - Continued

"Non-renewal" is the ending of employment at the end of a contract period for non-tenured professional personnel.

Financial Exigency

"Financial exigency" is that condition created by insufficient budgetary resources resulting from a loss of enrollment, a lowering of government appropriations and/or private support, thereby requiring adjustments in personnel and material resources in order to maintain the institutional mission of meeting educational needs.

Grievance Procedure

"Grievance procedure" refers to the procedures developed to assure fair judgments in personnel problems involving consequences other than suspension or dismissal for cause, or non-renewal of personnel in the probationary period.

Institution

"Institution" denotes any and all of the State Colleges in Colorado statutorily assigned to the Trustees.

Notice

Whenever any provision herein requires that notice be given or mailed, said notice shall be given by registered mail and shall be effective upon the date of mailing or shall be given by personal service.

G L O S S A R Y - Continued

Probationary Period

The probationary period for faculty is from initial employment to the granting of tenure; for administrative personnel, the probationary period is from initial employment through the fifth year of employment.

Suspension

"Suspension" is the relieving an individual of all duties and responsibilities as an emergency measure to prevent harm to that individual, to the institution, or to others.

Tenure

"Tenure" is a status conferred by the Trustees upon faculty personnel who have met the qualifications specified in these policies. Subject to the terms and conditions contained herein, tenure status constitutes the right to continued employment, absent grounds for dismissal or termination as herein provided, the compensation for which is determined from year to year by appropriations by the General Assembly and salary patterns prescribed by the Trustees. Tenure status includes the right to the application of fair procedures to termination or dismissal, as provided herein.

Trustees

"Trustees" refers to the Trustees of the State Colleges in Colorado.

G L O S S A R Y - Continued

Year, Academic

The academic year is the period, determined specifically by institutional custom, which embraces the regular terms of instruction exclusive of summer sessions.

Year, Fiscal

The fiscal year for the State Colleges in Colorado is the fiscal year of the state of Colorado, July 1 to June 30.

I. GOALS

The primary goal of each institution is to foster learning which will promote the realization of each student's potential for human fulfillment and productive citizenship. The excellent learning situations which such a goal demands cannot be achieved without provision also for a climate which encourages the professional growth and effective performance of every staff member. Therefore, each institution is required to develop for Trustee approval the following documents:

A. An academic master plan which meets criteria established by the Trustees. Evidence that this plan continues to be current shall be presented to the Trustees at least every five years. The academic master plan and its amendments must have the prior approval of the Trustees in order to take effect.

B. A set of institutional goals related to the academic master plan which provide the means for demonstrating progress or success in fulfilling the academic master plan.

C. A set of long-range objectives related to the institutional goals which reveal the articulation between each division, department, or other comparable instructional unit and the institutional goals.

D. A set of short-range objectives by which each division, department, or comparable institutional unit can demonstrate progress or success in realizing its long-range objectives.

E. Procedures for assessing and rewarding professional growth and effective performance in order to insure educational excellence to meet institutional goals effectively.

II. CONDITIONS OF EMPLOYMENT DETERMINED BY LAW

A. Oath or Affirmation of Allegiance

The following procedures are prescribed by the Trustees in accordance with Chapter 123-7, 7 and 8, CRS 1963 as repealed and re-enacted in 1969.

1. The oath or affirmation shall be administered to all persons employed by the Trustees of the State Colleges in a teaching position regardless of the length of the employment period. This shall be construed to include all persons given faculty rank as well as all graduate teaching assistants and any other persons engaged in teaching, and including those persons employed for main campus, extension, or correspondence, credit or non-credit. This does not pertain to persons in the Classified Service except in the event they are retained to teach courses.

2. Any person employed to teach who is a citizen of a nation other than the United States shall not be required to take oath or affirmation.

3. The oath or affirmation shall be administered before entering upon or continuing teaching duties on or after July 1, 1969.

4. The oath or affirmation shall be in writing. Only one copy of the form is required and that copy shall be retained by the college or university, as a part of the employee's personnel file. It needs to be administered only once. The one copy on file shall be good indefinitely (or until such time as the law is changed).

II. CONDITIONS OF EMPLOYMENT DETERMINED BY LAW - Continued

5. The oath or affirmation shall be administered by any person authorized to administer oaths in the state of Colorado. This includes judges, court clerks, and notaries public.

TEACHER'S OATH OR AFFIRMATION

State of Colorado)
)ss
County of _____)

I solemnly (swear) (affirm)* that I will uphold the constitution of the United States and the constitution of the state of Colorado, and I will faithfully perform the duties of the position upon which I am about to enter.

Signed_____.

Subscribed and sworn to before me this _____ day of _____, 19__.

_____
Notary Public

My commission expires_____.
(Date)

*strike inapplicable word

II. CONDITIONS OF EMPLOYMENT DETERMINED BY LAW - Continued

B. Affirmative Action

The Affirmative Action Guidelines approved by the Trustees for each institution in accordance with Executive Order 11246 as amended by Executive Order 11375 and the 1972 Higher Education Amendments shall be observed.

A current copy of the Affirmative Action Guidelines shall be readily available in each administrative office and in the college library.

III. ENDORSEMENT OF ACADEMIC FREEDOM

The Trustees endorse the principle of Academic Freedom understood as meaning freedom for teachers in the classroom to discuss their subjects fully; freedom to engage in research and to publish the results of research; freedom from institutional censorship or discipline when writing or speaking as citizens, provided they do not represent themselves as speaking for their institutions.

IV. PROFESSIONAL CONDUCT

A. In the Academic Setting

Appointment at one of the state colleges in Colorado carries with it special responsibilities. The following statement sets forth general standards of professional ethics.

Professional persons guided by conviction of the worth of advancing knowledge, have as their primary responsibility seeking the truth. As a consequence, they exercise critical judgment in using and transmitting knowledge.

In relations with colleagues, they show respect for others' opinions and defend their right to free inquiry. They maintain integrity and strive to be objective in the judgment of colleagues. They accept their individual share of academic responsibility for institutional governance.

Professional persons who are teachers encourage free pursuit of knowledge by students and respect the worth and dignity of the student as an individual. They foster honest academic conduct and make every effort to assure that their evaluations reflect the student's true achievement. They respect the confidential nature of the student-teacher relationship and avoid any exploitation of students.

Faculty members seek above all to be effective teachers and scholars. They also observe the stated policies of their institution, but maintain their right to criticize responsibly and to seek revision of their institution's policies.

As citizens engaged in a profession that depends upon freedom for its integrity, all professional persons have a particular obligation to promote conditions of free inquiry.

IV. PROFESSIONAL CONDUCT - Continued

B. In the Community at Large

Participation in community affairs and organizations by professional persons is encouraged to the extent their obligations to their institutions permit.

C. In the Political Sphere

The political rights of professional persons in the State Colleges are the same as those of other citizens, and political activities are recognized as legitimate and acceptable. Professional persons have, however, a prior responsibility to their institution and profession. While it is appropriate to seek a leave of absence without pay for political activities, proper consideration must be given to the problems which may be created for others in the institution. Moreover, public funds, services, and facilities shall not be used to further individual political purposes. Individuals engaged in political activity shall avoid identifying their institutions with political positions or parties.

Whenever campaigning entails long or frequent absence from the campus, full and early understanding between the individual and the administration is imperative. An individual seeking or considering full-time political office shall so notify the president of the institution prior to the public announcement of intention.

Some kinds of political activity (such as holding local office) may not affect an individual's service to the institution; however, if a reduction of workload is deemed necessary, there shall be a corresponding reduction of salary.

V. DUTIES AND RESPONSIBILITIES OF THE PRESIDENT

The president of each institution shall be responsible for the total operation of all its areas and functions. The president shall utilize a Trustee-approved representative body of democratically elected persons as a voice on academic and institutional matters. However, it is understood that the president shall retain final internal authority.

VI. FACULTY RANK

A. General Policy

At institutions utilizing rank, the basic academic rank structure shall be as follows:

Instructor
Assistant Professor
Associate Professor
Professor

Each institution shall develop for Trustee approval specific procedures for promotion decisions. The final responsibility for recommending that the Trustees confer promotion rests with the president.

Adjunct professorships may be conferred at the appropriate level upon persons appointed by the Trustees for less than full-time service. Institutions may employ part-time faculty to teach courses on a quarter-by-quarter basis to the extent provided for by appropriated funds.

Rank held at the time of an administrative appointment shall be retained.

VI. FACULTY RANK

B. Eligibility Qualifications for Rank

Meeting the minimum qualification does not imply automatic promotion. Evidence of professional excellence must be developed through the approved institutional procedures. Exceptional qualifications for rank which do not match the following formulae for education or experience may be considered by the Trustees on their merits.

Instructor:

The minimum qualification is the master's degree.

Assistant Professor:

The minimum qualification is the master's degree plus forty-five quarter hours of appropriate post master's degree work or the equivalent.

Associate Professor:

The minimum qualification is the doctoral degree or appropriate terminal degree plus four years of relevant college teaching or the equivalent.

Professor:

The minimum qualification is the doctoral degree or the appropriate terminal degree, plus seven years of relevant college teaching or the equivalent.

VI. FACULTY RANK

C. Equivalencies

Appropriate equivalencies may serve in lieu of academic degrees or institutional teaching experience. Each institution shall establish for Trustee approval guidelines for equivalents.

VII. TENURE

In the State Colleges in Colorado, a tenured faculty member shall not be dismissed except for cause, nor shall a tenured faculty member's position be terminated before the age of mandatory retirement except for reason of financial exigency or for reason of legitimate program change, with the burden of proof respecting cause, financial exigency, or legitimacy of program change resting upon the institution.

Tenure policy shall be administered as follows:

1. Tenure is granted only by act of the Trustees on the basis of merit which will be judged according to the goals of each institution documented in accordance with Section I of this Handbook.

2. Each institution shall develop for Trustee approval specific procedures for developing the basis of tenure decisions. The final responsibility for recommending that the Trustees grant tenure rests with the president.

VII. TENURE - Continued

3. At institutions ranking faculty* requirements of eligibility to be considered for tenure are as follows:

Instructors -

Instructors are appointed on the basis of promise and are not eligible for tenure unless promoted. However, time spent as an Instructor shall be counted toward eligibility for tenure upon promotion. An Instructor retained but not promoted during the sixth academic year of service shall be offered a terminal contract for the seventh year, unless given notice of non-reappointment by December 1 of the sixth year.

Assistant Professors -

An Assistant Professor may be considered for tenure during the faculty member's fifth academic year of service. If tenure is not then granted, the faculty member may be considered again in the sixth year. If tenure is not to be granted, the faculty member shall be given written notice of non-renewal no later than December 1 of the seventh year of service.

Associate Professors -

An Associate Professor may be considered for tenure during the faculty member's fourth academic year of service. If tenure is not then granted, the faculty member may be considered again in the fifth year.

* At Mesa College, where faculty is not ranked, eligibility to be considered for tenure shall be as formulated between that institution and the Trustees.

VII. TENURE - Continued

Associate Professors - Continued

If tenure is not to be granted, the faculty member shall be given written notice of non-renewal no later than December 1 of the sixth year of service.

Professors -

A Professor may be considered for tenure during the faculty member's third academic year of service. If tenure is not then granted, the faculty member may be considered again in the fourth year. If tenure is not to be granted, the faculty member shall be given written notice of non-renewal no later than December 1 of the fifth year of service.

4. After one academic year at the institution, academic years of uninterrupted service elsewhere in the State College system may be counted toward eligibility to be considered for tenure at the discretion of the institution.

5. Faculty members teaching on state-funded institutional assignments in Trustee-sponsored programs at off-campus locations shall accrue time toward eligibility to be considered for tenure as if they were teaching on campus.

6. Untenured faculty shall not be dismissed during the term of a contract unless for cause.

VII. TENURE - Continued

7. If the position of a tenured faculty member is terminated for reason of financial exigency or program change, the vacated position shall not be filled for a period of two years unless the faculty member who held it has first been given the opportunity to fill it.

8. A tenured faculty member appointed to an administrative position retains tenure in the academic department or division.

VIII. SALARY AND WORKLOAD

A. General Policy

A systemwide salary schedule shall be established by the Trustees which sets forth annually minimum/maximum salaries by rank.* The systemwide schedule goal shall be compatible with salaries existing in comparable institutions.

Individual salary adjustments shall fall within the above described schedule with the specific amount of adjustment in any given year reflecting such factors as merit recognition, equity adjustments where circumstances justify, and cost of living changes. The specific weighting of these factors will necessarily vary in accordance with circumstances. Each institution is charged with developing guidelines under which annual salary adjustments will be administered.

* At Mesa College, where faculty are not ranked, the Trustees shall establish an appropriate salary schedule.

VIII. SALARY AND WORKLOAD - Continued

Salary Supplementation

During the regular term of a full-time appointment, salaries of professional personnel shall not be supplemented from institutional grants, contracts, or other institutional sources or state sources except for approved additional institutionally assigned responsibilities, approved employment in extension classes, or similar activities scheduled through off-campus programs.

Outside Employment

Outside employment shall not interfere with the performance of contractual responsibilities.

Deductions

Deductions taken from salary payments shall be those required for state and federal withholding taxes, retirement, life and health insurance, long-term disability insurance, and other deductions which may be required by law, or requested by the faculty and approved by the institutions or the Trustees.

B. Faculty Workload

The normal teaching load of faculty is twelve credit hours, which produces a workload of at least forty (40) hours per week involving preparation of classes, evaluation of student performance, conferences with students to supplement classroom work, academic advising of students, committee work, and attention to professional improvement.

VIII. SALARY AND WORKLOAD - Continued

In order to meet emergency situations or to accommodate peak enrollments, it may be necessary to compute load on an academic-year average.

Institutions shall develop teaching load equivalencies to assure equity for disciplines which do not fit the ordinary pattern.

Fifteen credit hours shall be the full-load basis for computing load carried by part-time or temporary faculty, since they do not carry responsibilities over and above teaching.

Reallocated loads for research, institutional service, other scholarly activities, or curriculum-related activities outside of actual teaching assignments are within the prerogative of the instructional unit as approved by the appropriate administrative officers and the faculty member affected.

IX. EMPLOYMENT CONTRACTS

A. General Policy

Employment contracts shall be uniform for all institutions. All employment contracts shall be subject to the availability of funds.

Contracts shall state the following: (1) Conditions of employment; (2) salary to be paid; (3) duration of the contract; and (4) that the employee and the Trustees are subject to the regulations set forth in this Handbook as amended from time to time.

IX. EMPLOYMENT CONTRACTS - Continued

With regard to (3) above, the ordinary contract period for administrative personnel shall be identical with the fiscal year. For faculty personnel, the ordinary contract period shall be the institution's academic year. Summer session contracts for faculty shall be separately tendered.

If a decision is made not to reappoint a person, written notice of non-renewal shall be given no later than December 1 of the terminal academic year or March 1 in the case of the first year of service. Omission of such notice signifies intent to renew for another year.

Temporary contracts shall be so identified; therefore, no notification of non-renewal need be given to temporary employees.

B. Administrative Personnel

Presidents serve at the pleasure of the Trustees; other administrative personnel serve at the pleasure of the president subject to the provision that administrative personnel with five or more years of service who are notified that their annual contracts are not to be renewed may request review by appropriate administrative officers and/or the Institutional Grievance Committee. If after such review the president ultimately decides upon non-renewal, a written statement of reasons shall be filed with the Executive Director of the State Colleges.

Administrative personnel shall not be dismissed during the term of a contract unless for cause.

X. SUSPENSION

Suspension is an emergency measure taken to prevent harm to the person suspended, the institution, or to others.

The president may authorize the suspension of a professional person upon becoming convinced that there is danger of harm to that person, to the institution, or to others should the person continue the performance of assigned duties.

Within thirty calendar days after authorizing suspension, the president shall either: (1) return the suspended person to active status without prejudice, or (2) file with the Executive Director of the State Colleges a dismissal complaint as provided under Section XI, or (3) place the person on sick leave status pending determination of disability.

The order of suspension shall provide that, pending determination of charges, the suspended person shall be paid salary for a period not to exceed ninety (90) calendar days. In the event the charges are dismissed, amounts of unpaid salary which accrued during the period of suspension plus interest at the rate of six percent per annum shall be paid. If any charge constituting cause for dismissal is sustained, no payment of accrued salary shall be made, and the institution shall have the right to recover any salary paid during the initial (90) ninety days of suspension.

XI. DISMISSAL AND TERMINATION

A. Dismissal for Cause: Academic Due Process

1. Cause for dismissal of a tenured faculty member or an untenured professional person within the term of a contract may be the following: moral turpitude, incompetence, failure to perform the duties required by contract, or conviction of a felony, or other like reason.

2. Dismissal proceedings shall be initiated by a written complaint filed with the president or filed by the president with the Executive Director of the State Colleges in Colorado. A complaint filed by an administrative officer with the president shall be forwarded to the Executive Director of the State Colleges in Colorado, and thereafter handled as provided below for complaints initiated by the president. The complaint shall set forth grounds for dismissal for cause and shall set forth facts alleged to support such grounds. The president or the Executive Director of the State Colleges shall mail a copy of such complaint to the individual concerned, hereinafter called "respondent."

   If the complaint is filed by the president, a hearing agent shall be appointed by the Executive Director of the State Colleges to conduct an investigation to determine whether probable cause exists which may warrant dismissal; if the complaint is filed by persons other than the president or administrative officers, the president shall conduct the investigation. During the investigation, the president or hearing agent

XI. DISMISSAL AND TERMINATION - Continued

A. Dismissal for Cause: Academic Due Process - Continued

may consult with faculty members, administrators, or other persons as deemed necessary and will attempt to meet with the respondent to discuss the allegations of the complaint.

Following the investigation, the president or hearing agent shall mail a report of the determination to the respondent, the complaining party, and the Trustees.

If the president or hearing agent determines that probable cause exists, then the report shall certify:

a. that the respondent is entitled to a hearing as herein provided on the allegations contained in the complaint;

b. that such hearing must be requested within fifteen (15) calendar days from date of the report.

c. that no hearing shall be public unless agreed to by the parties and the president of the institution.

The report shall be accompanied by a copy of the regulations pertaining to suspension and dismissal.

XI. DISMISSAL AND TERMINATION - Continued

A. Dismissal for Cause: Academic Due Process - Continued

If no hearing is requested within the fifteen days, the allegations of the complaint shall be deemed uncontested by the respondent, and the president shall recommend to the Trustees such action as is deemed advisable and appropriate.

If a hearing is requested, the president or hearing agent shall convene a panel of five (5) persons selected as follows:

The panel shall be selected from the institution's Standing Hearing Committee, whose membership shall have been previously determined through Trustee-approved institutional procedures with provision that eight (8) members be faculty members; and four (4) members be administrative personnel.

The selection of the panel shall be made in the following manner:

Upon receipt of request for a hearing, the president or hearing agent shall simultaneously mail to the complaining party and to the respondent identical lists of the institution's Standing Hearing Committee. Each of the parties shall have ten (10) calendar days from the mailing date to return the list with the names numbered from "1" for the first preference to "12" for the last preference.

The president or hearing agent shall order the list according to mutual preference by adding the preference numbers for each name; minimum disparity shall decide ties, e.g., 3-3 would be listed before 5-1.

XI. DISMISSAL AND TERMINATION - Continued

A. Dismissal for Cause: Academic Due Process - Continued

The president or hearing agent shall then appoint the first five persons so designated to the hearing panel.

Any person so selected may decline to serve on the panel without statement of reasons; replacement shall be made with the next person on the list. At this point the complaining party and then the respondent shall be allowed one peremptory challenge, replacement to be made with the next person in the designated order of mutual preference.

The panel shall select a chairman from among its members. All decisions of the hearing panel shall be by majority vote except rulings relating to procedure and evidence, which shall be made by the chairman, subject to appeal. Hearings shall be recorded. The hearing panel shall determine an appropriate mode of procedure, and such procedure need not conform to the procedures of courts of law. The panel may consider and deliberate in executive session, but no formal action may be taken in executive session.

Within ten (10) calender days of the completion of the selection of the hearing panel, the president or the hearing agent shall mail to the complaining party, the respondent and each member of the hearing panel notice of the time and place of the hearing. Such hearing shall be begun within thirty (30) calendar days of completion of the selection of the hearing panel.

At the hearing the complaining party and the respondent shall be entitled to be present, to give evidence, and to have with them advisers of their own choosing. The panel shall be

XI. DISMISSAL AND TERMINATION - Continued

A. Dismissal for Cause: Academic Due Process - continued

furnished with a written copy of the complaint. Upon conclusion of the hearing, the panel shall submit written findings of fact and recommendations to the president with copies to the respondent, the complaining party, and the Executive Director of the State Colleges.

The president shall then review the findings and recommendations of the panel and shall submit a recommendation to the Trustees, mailing a copy to the complaining party and to the respondent.

B. Appeals to the Board of Trustees

The respondent may appeal the recommendation of the panel and the president by filing a request for review in writing with the Executive Director of the State Colleges within ten (10) calendar days after the mailing of the president's or hearing panel's recommendations to the respondent, setting out in detail the reasons for the appeal. If the respondent fails or neglects to file such a request with the Executive Director within the ten-day period, the Trustees may deem the findings uncontested and take whatever formal action they may deem appropriate. However, if respondent files a written request for review with the Executive Director within the ten days, a date, time, and place shall be determined when the Trustees contemplate reviewing the findings and recommendations. Notice of the date, time, and place of the review shall be mailed to the respondent at least ten (10) calendar days in advance together with an invitation to submit to the Trustees a written brief pertaining to the case. After reviewing the record and the brief, the Trustees shall consider the findings

and recommendations of the panel and the recommendations of the president and shall determine whether it is necessary to seek additional evidence. A written copy of whatever formal action the Trustees ultimately deem it appropriate to take shall be mailed to the respondent, the complaining party and the president.

C. Termination for Reason of Financial Exigency

1. In keeping with normal budget development procedures, administrators shall justify to the Trustees the necessity for reduction in personnel. If reduction in personnel is necessary, the administration is charged to employ the following guidelines in determining which positions must be terminated.

   a. Program-by-program comparison shall be made over as long a period as is relevant in order to assess accurately the real demand for programs so that the program needs of students may receive the highest priority in retrenchment decisions.

   b. Within programs which have been determined to require reduction, expectation of normal attrition through retirement, resignation, and leaves of absence, should be considered prior to effecting terminations.

   c. All other considerations being equal, tenured service and/or length of service shall be given weight in determining who shall be retained.

XI. DISMISSAL AND TERMINATION - Continued

d. Termination decisions shall be compatible with the institution's approved affirmative action guidelines.

D. Termination for Reason of Program Change

Changing educational needs and concepts may require programs to be discontinued or profoundly altered. The Trustees require that program changes which entail termination of positions be planned and justified sufficiently in advance to permit compliance with their policy on notice of termination.

Program changes which entail termination of positions shall be preceded by an approved change in the academic master plan or else be shown to be necessary to the fulfillment of that plan.

E. Reemployment Assistance

When approved program changes and financial exigency affect the termination of positions, every reasonable effort shall be made to relocate individuals in the institution or in the State College; failing that, assistance shall be given to help find positions elsewhere.

XII. GRIEVANCES OTHER THAN DISMISSAL FOR CAUSE AND NON-RENEWAL OF PERSONNEL IN THE PROBATIONARY PERIOD

LEVEL ONE

1. A grievance will first be discussed with the appropriate administrators with the objective of resolving the matter informally, at which time the aggrieved person:

   a. May discuss the grievance personally;
   b. May request that a representative accompany him;
   c. May request that a representative act in his behalf.

2. The appropriate administrator (up to, but not including the president) will have fifteen (15) calendar days to resolve the grievance.

LEVEL TWO

1. If the aggrieved person is not satisfied with the disposition of the grievance at Level One, he/she may file the grievance in writing with the Institutional Grievance Committee established through Trustee-approved procedures, indicating what was done to obtain satisfaction at Level One and what remedy is sought. Such filing must be done within fifteen (15) calendar days after the grievance decision was rendered at Level One and notice given to the aggrieved person.

2. The Grievance Committee shall investigate such grievance and make a recommendation to the appropriate administrator within thirty (30) calendar days after receipt. This administrator shall accept or reject the committee's recommendation and shall notify the aggrieved person and the committee of such decision within fifteen (15) calendar days of receiving the committee's recommendation.

XII. GRIEVANCES OTHER THAN DISMISSAL FOR CAUSE AND NON-RENEWAL OF PERSONNEL IN THE PROBATIONARY PERIOD - Continued

LEVEL THREE

1. If the grievance is not resolved at Level One or Two, the college president will meet with the appropriate administrator and the aggrieved person and his/her representative in an effort to resolve the grievance; such meeting will take place within fifteen (15) calendar days after receipt of the grievance recommendation from the Grievance Committee.

2. The college president shall render a decision, including a summary of reasons, in writing to the Grievance Committee and to the aggrieved person within fifteen (15) calendar days after the meeting set forth above and file a copy with the Executive Director of the State Colleges.

The Trustees will consider appeals under this section only in those cases which in their discretion merit review.

The Trustees' response to an appeal will be transmitted in writing to the complaining party and to the Institutional Grievance Committee.

Each Institutional Grievance Committee shall prepare an annual report to the Trustees showing the number of times the president accepted and/or rejected the Committee's recommendations.

XIII. PROFESSIONAL TRAVEL

Within funding constraints and the fiscal rules, institutions will support travel of full-time academic personnel for the purpose of professional development.

XIII. PROFESSIONAL TRAVEL - Continued

Presidents shall be prepared to account to the Trustees for the effective disbursement of travel funds.

XIV. LEAVES OF ABSENCE

A. Leave with Pay (Sabbatical Leave)

Full-time professional personnel are eligible to be granted a leave with pay when they have completed twenty (20) full-time quarters of continuous service to the State Colleges in Colorado. Interruption of employment with State Colleges shall invalidate time accumulated toward eligibility for leave with pay, but a move from one State College to another does not invalidate time accumulated nor do approved leaves or not being employed for summer sessions. Eligibility to be granted a second leave with pay begins with the completion of forty (40) full-time quarters, etc.

Eligibility guarantees neither that leave will be granted nor when it will be granted.

Those who are granted leaves must use that time in studying for advanced degrees, in taking post-doctoral study, or engaging in programs which will benefit both the leave holder and the college. Time spent is to be used to enrich the person in knowledge, skills, and ideas.

Leave with pay may be granted for one quarter at full pay, two quarters at two-thirds pay, or three quarters at half pay.

XIV. LEAVES OF ABSENCE - Continued

Each institution shall develop for Trustee approval a procedure for identifying candidates who may be recommended to the Trustees for grants of leave with pay. These procedures shall specify criteria for evaluating proposals for use of leave time. Such criteria shall be consistent with the priorities of the institution's academic master plan.

A person granted leave with pay may hold a scholarship or receive a grant or fellowship provided such financial aid contributes to the purpose to be served by the leave. Acceptance of a scholarship, fellowship, grant, appointment at another institution, or any other employment must have prior written approval of the president and the Trustees.

Leaves with pay are granted on the condition that the recipient sign an agreement to return to the institution for a full year's employment with a provision to the effect that failure to return makes it compulsory for the recipient to reimburse the institution in full for all salary paid during the period of leave.

Upon return from leave with pay, professional personnel shall be given the same rank, salary, and retention consideration as if the leave had not been taken.

B. Leave without Pay

Professional personnel may be granted a leave without compensation to study, to conduct research, to travel in connection with study or research, or

to hold a temporary appointment at another institution of higher learning or in government service, or in other activities which will promote the interest of the college.

Leave without pay to campaign and to serve in a state or national elective or appointive office may be granted up to four quarters, and may be renewed.

Upon return from leave without pay, professional personnel shall be given the same rank and salary and retention consideration as those that have not been on leave.

C. Sick Leave

Full-time professional personnel shall be granted ninety (90) calendar days' sick leave eligibility per year at full pay. Loss to the institution due to sick leave within the ninety-day period will be covered by colleagues whenever practical. Sick leave beyond the ninety days is considered leave without pay.

Professional personnel are not entitled to payment for unused sick leave, and sick leave does not accumulate from year to year.

Section XV, subsection D, treats sickness benefits beyond the first ninety days.

XIV. LEAVES OF ABSENCE - Continued

D. Vacation

Administrative personnel shall be entitled to four calendar weeks of vacation annually, not to exceed twenty (20) working days. Vacation time shall not accrue beyond forty (40) working days. Vacation dates shall be approved by the employee's immediate superior. No additional compensation shall be paid for not taking accrued vacation.

E. Released Time for Publication

Released time from regular assignment for purposes of recognized authorship may be granted under conditions acceptable to the president and the Trustees, but any agreement relating to such released time shall be in writing and include provisions governing recognition of the institution and faculty, apportionment of royalties, and amounts of released time.

F. Maternity Leave

Maternity leave shall be granted to full-time professional personnel under the following provisions:

1. A request for maternity leave should be presented to the appropriate administrator as soon as possible upon becoming aware of pregnancy. This request for maternity leave must be accompanied by a physician's statement confirming the pregnancy and the projected date of delivery.

XIV. LEAVES OF ABSENCE - Continued

2. The decision as to when the maternity leave begins shall be determined by the employee and her doctor. Under normal circumstances the employee will notify the college at least thirty (30) calendar days prior to the beginning of the maternity leave. The employee may use up to 90 calendar days of sick leave for maternity leave.

XV. BENEFITS

A. Tax-Sheltered Annuity

The employees of each of the State Colleges and the central office are hereby authorized to participate on a voluntary basis in a program whereby the college will purchase an annuity within the provisions of the Technical Amendments Act of 1958, Section 23 (b), revising 501 (c) (3) and 403 (b) (3) and the herein designated rules of the Trustees under the following conditions:

1. The employee so interested shall elect to join the tax-sheltered annuity program by signing a statement submitted to him by the college of intent to elect an exclusion allowance, the declaration to apply until revoked at his/her election.

2. The annuity shall be funded by reducing the gross appointment salary of the employee by a stipulated constant amount and the purchase coextensively of an annuity contract by the

XV. BENEFITS - Continued

Trustees with approved insurance companies. The Executive Director shall maintain a list of insurance companies approved by the Trustees.

B. Transfer of Benefits

Professional personnel transferring from one college to another under the jurisdiction of the Trustees of State Colleges may transfer the quarters of service benefits accrued within the State System institutions. This transfer implies no financial obligation on the employee's former institution. The benefits include retirement, health and hospitalization insurance, life and accident insurance, leaves with pay, sick leave, vacation, and other benefits (except tenure) as defined within this Handbook.

C. Health and Insurance Benefits

The colleges shall participate with the professional personnel in providing systemwide health and insurance benefits for the calendar year. The systemwide health and insurance program shall be required for all full-time professional persons not granted exemptions. Exemptions will be considered by the institution for those persons with certain military benefits and for those persons whose religious beliefs conflict with the requirements of this systemwide program, or for spouses who are covered by other insurance. The health and insurance program shall be reviewed periodically to assess its adequacy in terms of coverage and costs.

XV. BENEFITS - Continued

D. Long-Term Disability Program

A long-term disability income program shall be provided to professional personnel on a 50-50 cost-sharing basis under terms and conditions set forth by the Trustees' resolution in the minutes of the meeting April 19-20, 1968.

E. Retirement

All professional personnel shall participate in the State Public Employees' Retirement Association program. Persons who qualify may retire earlier at their option, but must retire not later than the end of the fiscal year in which the age of sixty-five (65) is attained.

Where the president feels that the needs of the college would be best served and the health of the individual permits, retired employees who have reached the mandatory retirement age may be considered for continued employment on either a full- or part-time basis for additional fiscal-year or academic-year periods. Such an appointment shall be subject to submission of a written statement from a medical doctor concerning the individual's physical condition.

F. Emeritus Rank

A professional person of a college under the Trustees will at the time of retirement be accorded emeritus rank upon recommendation by the president of the college.

DOCUMENTS TO BE DEVELOPED BY EACH INSTITUTION FOR TRUSTEE APPROVAL.

POLICY:

Each institution shall develop the documents listed below under procedures that include appropriate involvement of professional personnel (faculty, student, administrative personnel) as defined in this document and file the same for approval by the Trustees.

- Academic Master Plan
- Institutional Goals, Long-range Objectives, and Short-range Objectives
- Workload Equivalencies
- Constitutional Bylaws of Representative Body
- Guideline Equivalency

Procedures for:

- Assessing of Professional Growth
- Tenure
- Promotion
- Leave-with-pay Recommendations
- Salary Administration
- Selection of a Standing Hearing Committee
- Selection and Composition of Institutional Grievance Committee

The following will be separate policies approved by the Trustees:

- Systemwide Patents, Copyrights, Radio, Television
- Selection of the Presidents